

CITY COMMISSION MEETING AGENDA

CITY COMMISSION / MUNICIPAL COURT ROOM
518 MECHANIC, EMPORIA, KS
July 20, 2016 at 7:00 pm

1. Members present: Mayor Gilligan

<u>Vice Mayor Mlynar</u>	<u>Commissioner Geitz</u>
<u>Commissioner Harmon</u>	<u>Commissioner Giefer</u>
<u>City Manager McAnarney</u>	<u>City Clerk Sull</u>
<u>Asst. City Mgr. Jim Witt</u>	<u>City Attorney Montgomery</u>
2. Mayor and City Commission Reports and Comments.
3. Consent Agenda
4. Public Comment
 - a. Proclamation Recognizing July 30th as Kansas All-Star Football Shrine Bowl Day in Emporia.
5. Presentation of 2015 Comprehensive Annual Financial Report.
6. Consider Awarding a Bid for the KLINK Resurfacing Project.
7. Consider the Approval of Proposal from ATHCO for Park Equipment at Hammond Park.
8. Appoint Board Members to Community Housing Board.
9. Request to Approve Ordinance Changes to Animal Control Ordinances.
10. Request for Ordinance to Update Municipal Court Fees.
11. Report from City Manager on City Activities.
12. Executive Session



**If you need accommodations due to a disability to participate in this event, meeting, or activity, or alternative format of written materials contact Emporia ADA Coordinator at least 48 hours before the event at 620-343-4285 or email jlynch@emporia-kansas.gov*

AGENDA ITEM SUMMARY

MEETING DATE: July 20, 2016

ITEM NUMBER: 2

SUBJECT: Mayor and City Commissioners Reports and Comments

RECOMMENDATION:

BACKGROUND SUMMARY:

ACTION RECORD

Action: _____

Motion: _____ Second: _____

Abstained: _____ Vote: _____

GEITZ _____ GIEFER _____ GILLIGAN _____ HARMON _____ MLYNAR _____

AGENDA ITEM SUMMARY

MEETING DATE: July 20, 2016

ITEM NUMBER: 3

SUBJECT:

Consent agenda:

The items listed on the Consent Agenda are considered by the Governing Body to be routine business items.

Approval of the items may be made by a single motion, second and majority vote with no separate discussion of any item listed. Should a member of the Governing Body desire to discuss any item, at his/her request, it will be removed from the Consent Agenda and considered separately.

- a. Consider minutes of the Regular Meeting held on July 6, 2016.
- b. Consider ratification of Payroll Ordinance for the period ending in July 8, 2016.
- c. Consider the Approval of June Budget.
- d. Consider the Distribution of Funds from the Transit Guest Tax Fund to Dynamic Disc for PDGA.

RECOMMENDATION:

- a. Approve Minutes
- b. Approve Payroll
- c. Approve Budget
- d. Approve Distribution

BACKGROUND SUMMARY:

ACTION RECORD

Action: _____

Motion: _____ Second: _____

Abstained: _____ Vote: _____

GEITZ _____ GIEFER _____ GILLIGAN _____ HARMON _____ MLYNAR _____

AGENDA ITEM SUMMARY

MEETING DATE: July 20, 2016

ITEM NUMBER: 3d

SUBJECT: Consider the appropriation of \$5,000.00 to Dynamic Discs to help offset fees for the 2016 PDGA Professional World Disc Golf Championships that will be held in Emporia, Kansas from August 6-13, 2016.

RECOMMENDATION: Approve the appropriation of \$5,000.00 to Dynamic Discs.

BACKGROUND SUMMARY:

Dynamic Discs is hosting the 2016 PDGA Professional World Disc Golf Championships in Emporia, Kansas from August 6-13, 2016. The \$5,000.00 appropriate fee will be used to help offset fees to host the event. The monies for the appropriation will be paid from the Transient Guest Tax Fund.

ACTION RECORD

Action: _____

Motion: _____ Second: _____

Abstained: _____ Vote: _____

GEITZ _____ GIEFER _____ GILLIGAN _____ HARMON _____ MLYNAR _____

AGENDA ITEM SUMMARY

MEETING DATE: July 20, 2016

ITEM NUMBER: 4

SUBJECT: Public Comment

RECOMMENDATION:

BACKGROUND SUMMARY:

- Proclamation Recognizing July 30th as Kansas All-Star Football Shrine Bowl Day in Emporia -*Shriner Representative to Accept.*

ACTION RECORD

Action: _____

Motion: _____ Second: _____

Abstained: _____ Vote: _____
GEITZ _____ GIEFER _____ GILLIGAN _____ HARMON _____ MLYNAR _____



PROCLAMATION

WHEREAS, *The Shrine Bowl of Kansas Sponsored by the five Shrine Centers of Kansas, namely Abdallah of Overland Park, Arab of Topeka, Isis of Salina, Midian of Wichita and Mirza of Pittsburg, will sponsor their 43rd Annual All-Star Football Game on July 30, 2016 in Emporia, Kansas, and continued their tradition of philanthropy; and*

WHEREAS, *For over 90 years the Ancient Arabic Order of the Nobles of the Mystic Shrine of North America, through its network of hospitals, has treated over 1 million children with orthopedic disabilities and in more recent years, treated thousands of severely burned children through its Burn Institute; and*

WHEREAS, *The Citizens of the great State of Kansas may aid this worthy and impartial work and further the efforts of this great charity in their support of their philanthropic event to favor unfortunate children, regardless of race and creed;*

NOW THEREFORE, *I, Robert F. Gilligan, Mayor for the City of Emporia do hereby proclaim July 30, 2016, as*

Kansas All-Star Football Shrine Bowl Day

in Emporia and urge all citizens to join in this observance.

ON this 20th Day of July, 2016

ATTEST:

Robert F. Gilligan, Mayor

Kerry Sull, City Clerk

AGENDA ITEM SUMMARY

MEETING DATE: July 20, 2015

ITEM NUMBER: 5

SUBJECT: Presentation 2015 CAFR

RECOMMENDATION: Approve CAFR

BACKGROUND SUMMARY:

The 2015 CAFR has been completed. April Swartz from Varney & Associates will present the Comprehensive Annual Financial Report to the City Commission.

ACTION RECORD

Action: _____

Motion: _____ Second: _____

Abstained: _____ Vote: _____
GEITZ _____ GIEFER _____ GILLIGAN _____ HARMON _____ MLYNAR _____

AGENDA ITEM SUMMARY

MEETING DATE: July 20, 2016

ITEM NUMBER: 6

SUBJECT: Consider awarding a bid for the KLINK Resurfacing Project No PV1601.

RECOMMENDATION: Staff recommends awarding the project to APAC-Kansas, Inc., Shear Division for the base bid amount of \$445,970.50.

BACKGROUND SUMMARY:

At 2:00 p.m. on Tuesday, July 12, 2016, the City Engineer's Office publicly opened bids on this year's KLINK Resurfacing Project. The City had one bidders out of five plan holders submit a bid. The following is the bid received and the Engineer's Estimate.

Contractor	Base Bid
APAC-KS, Inc., Shear Division	\$445,970.50
Engineer's Estimate	\$468,587.70

The staff recommends awarding the project to APAC-Kansas, Inc. Shear Division. APAC has completed past resurfacing projects in our city and we have been pleased with the quality of work and professionalism.

This project is budgeted at \$ 250,000.00 out of the Multi-Year Fund for the City's portion of construction cost.

Attached is the complete project bid tabulation sheet for the base bid.

ACTION RECORD

Action: _____

Motion: _____ Second: _____

Abstained: _____ Vote: _____

GEITZ _____ GIEFER _____ GILLIGAN _____ HARMON _____ MLYNAR _____

**CITY OF EMPORIA, KS
BID TABULATION**

FOR KLING RESURFACING PROJECT NO. PV1601

US-50 Highway (Graphic Arts Road to Prairie Street) KDOT Project No. 50-56U-0680-01 (FY2017)

July 12, 2016

BASE BID

Quantity	Units	Description	APAC-KS, Inc, Shears Div. Emporia, KS		Engineer's Estimate	
			Unit	Total	Unit	Total
1	L.S.	Mobilization	\$63,182.00	\$63,182.00	\$25,000.00	\$25,000.00
38,513	S.Y.	Milling and Grinding (1.5" Avg. Depth)	1.05	40,438.65	2.00	77,026.00
3,390	TONS	HMA (Commercial Grade) (Class A) (1.5")	73.20	248,148.00	81.00	274,590.00
447	LBS.	Crack Seal	5.63	2,516.61	10.00	4,470.00
204	GAL	Emulsified Asphalt (CMS-1PF) (EFOG)	21.35	4,355.40	34.00	6,936.00
403	L.F.	Curb & Gutter (Remove & Replace)	49.49	19,944.47	42.00	16,926.00
10	S.Y.	Sidewalk Construction (4") ((AE) (Remove & Replace)	56.24	562.40	52.00	520.00
23	S.Y.	Sidewalk Ramp Construction (AE) (Remove &n Replace)	269.94	6,208.62	230.00	5,290.00
162	S.Y.	Concrete Pavement (7" Reinf.) (AE) (Remove & Replace)	89.98	14,576.76	72.00	11,664.00
3	Ea.	Utility Adjustment (Manhole) (Ring and Lid)	885.52	2,656.56	750.00	2,250.00
1	Ea.	Utility Adjustment (Water) (Valve Box)	813.06	813.06	500.00	\$500.00
3,509	L.F.	Pavement Marking (Thermoplastic) (White) (6")	0.67	2,351.03	1.10	3,859.90
9,728	L.F.	Pavement Marking (Thermoplastic) (Yellow) (4")	0.51	4,961.28	1.10	10,700.80
442	L.F.	Pavement Marking (Int. Gr.) (White) (24")	15.75	6,961.50	15.00	6,630.00
2	Ea.	Pavement Marking (Int. Gr.) (White) (Straight & Right Turn Arrow)	438.66	877.32	200.00	400.00
29	Ea.	Pavement Marking (Int. Gr.) (White) (Left Turn Arrow)	219.33	6,360.57	200.00	5,800.00
1	L.S.	Traffic Control	19,920.00	19,920.00	15,000.00	15,000.00
1	Hr.	Flagger (Set Price)	25.00	25.00	25.00	25.00
1	L.S.	Maintenance Bond	1,111.27	1,111.27	1,000.00	1,000.00
TOTAL AMOUNT OF BASE BID:				<u>\$445,970.50</u>		<u>\$468,587.70</u>

AGENDA ITEM SUMMARY

MEETING DATE: July 20, 2016

ITEM NUMBER: 7

SUBJECT: Consider the Approval of a proposal from ATHCO (Lenexa, Kansas) for a Pour-in-Place surface/playground for Hammond Park in the amount of \$148,316.00.

RECOMMENDATION: Authorize the purchase of a Pour-in-Place surface/playground for Hammond Park.

BACKGROUND SUMMARY:

The City Commission has previously received a presentation on a poured-in-place surface/playground for Hammond Park. It will replace the existing playground that is no longer adequate. The City of Emporia has worked with ATHCO (Lenexa, Kansas) on the design and cost of the proposed playground. ATHOC will purchase the material/equipment from an approved purchasing cooperative. The project will be paid for from budgeted funds from the Multi-Year Fund and the Special Parks Fund. A drawing and photo of the proposed project is attached for your review.

ACTION RECORD

Action: _____

Motion: _____ Second: _____

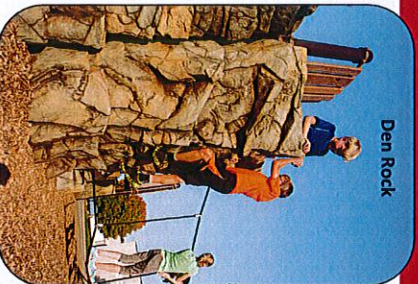
Abstained: _____ Vote: _____

GEITZ _____ GIEFER _____ GILLIGAN _____ HARMON _____ MLYNAR _____

Hammond Park



Den Rock



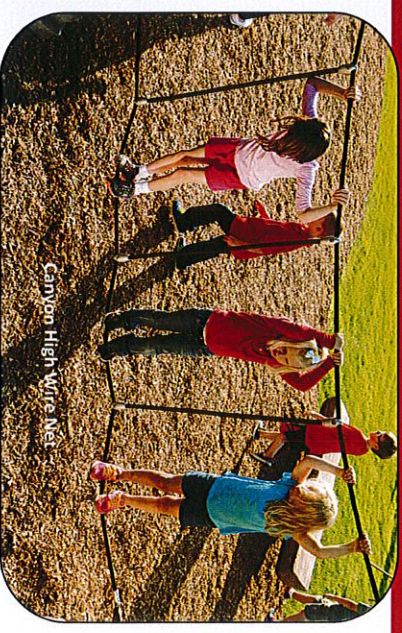
Bend Rock



Ascent Rock



Canyon High Wire Net



AATHCO
Your Premier Athletic & Recreation Source



landscape
structures®

**Better playgrounds.
Better world.™**

playlsi.com

Hammond Park



AATHCO
Your Premier Athletic & Recreation Source

We
landscape
structures

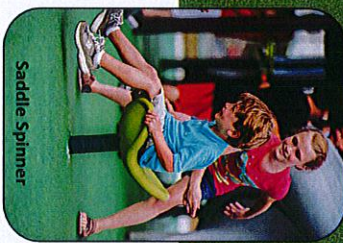
**Better playgrounds.
Better world.™**
playlsi.com



Double Bobble Rider



Wooden Warrior



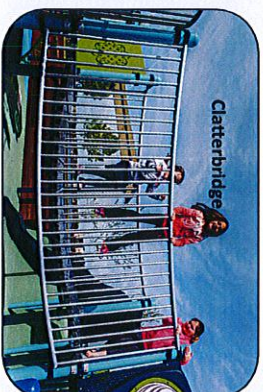
Saddle Spinner



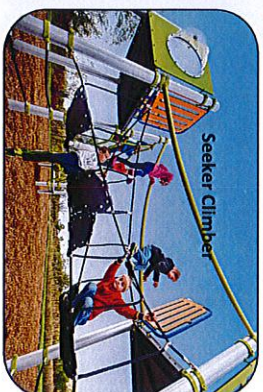
Motor/Hy-Fitness Seat



Full Bucket Seat



Clatterbridge



Seeker Climber

AGENDA ITEM SUMMARY

MEETING DATE: July 20, 2016

ITEM NUMBER: 8

SUBJECT: Appoint Board Members to the Community Housing Board.

RECOMMENDATION: Appoint Applicants

BACKGROUND SUMMARY:

The Community Housing Board has 5 openings. Four current members' terms have ended and are eligible for re-appointment and have applied. Megan O'Brien has applied for the last open board appointment.

Attached are all applications

ACTION RECORD

Action: _____

Motion: _____ Second: _____

Abstained: _____ Vote: _____
GEITZ _____ GIEFER _____ GILLIGAN _____ HARMON _____ MLYNAR _____



APPLICATION FOR ADVISORY BOARD MEMBERSHIP

NAME:

Patrick Wenly

ADDRESS:

1124 Oxford Drive

PHONE:

620 344 0545

PLACE OF EMPLOYMENT:

ERG Real Estate

HOW LONG HAVE YOU BEEN A RESIDENT OF EMPORIA?

40 yrs

ADVISORY BOARD(S) YOU ARE INTERESTED IN:

1)

property maintenance

2)

3)

4)

BRIEFLY DESCRIBE WHY YOU WOULD LIKE TO PARTICIPATE ON THE ADVISORY BOARD(S) MENTIONED ABOVE:

would like to make a difference in
how Emporia looks

OTHER ACTIVITIES AND INTERESTS:

SIGNATURE:

DATE:

6-28-16

Please mail to the City Manager's Office, PO Box 928, Emporia, KS 66801-0928



APPLICATION FOR ADVISORY BOARD MEMBERSHIP

NAME:

Cruz Jasso

ADDRESS:

2007 Mendavark Lane Emporia, Ks 66801

PHONE:

(620) 342-7075

PLACE OF EMPLOYMENT:

Retired High School Administrator

HOW LONG HAVE YOU BEEN A RESIDENT OF EMPORIA?

19 years

ADVISORY BOARD(S) YOU ARE INTERESTED IN:

- 1) Property Maintenance Board
- 2) _____
- 3) _____
- 4) _____

BRIEFLY DESCRIBE WHY YOU WOULD LIKE TO PARTICIPATE ON THE ADVISORY BOARD(S) MENTIONED ABOVE:

I was asked to serve on board while serving on Human Relations board. I have enjoyed serving on Property Maintenance board the past year. I am interested in helping our community ^{be} an attractive place to live and want to serve in any capacity to accomplish this.

OTHER ACTIVITIES AND INTERESTS:

Playing golf Active in church activities and youth programs Past president of Emporia Retired School Personnel

SIGNATURE:

Cruz Jasso

DATE:

March 17, 2016

Please mail to the City Manager's Office, PO Box 928, Emporia, KS 66801-0928



APPLICATION FOR ADVISORY BOARD MEMBERSHIP

NAME:

Jennifer Skiles

ADDRESS:

2002 Meadowlark Ln, Emporia, KS

PHONE:

cell: 620-344-1771 home: 620-208-7771

PLACE OF EMPLOYMENT:

Flint Hills Community Health Center

HOW LONG HAVE YOU BEEN A RESIDENT OF EMPORIA? 37 yrs

ADVISORY BOARD(S) YOU ARE INTERESTED IN:

- 1) Community Housing Board
- 2) _____
- 3) _____
- 4) _____

BRIEFLY DESCRIBE WHY YOU WOULD LIKE TO PARTICIPATE ON THE ADVISORY BOARD(S) MENTIONED ABOVE:

I have been a Board Member since 2013.
I believe my knowledge is valuable to the
Board.

OTHER ACTIVITIES AND INTERESTS:

LEPC, LPC,

SIGNATURE:

Jennifer Skiles

DATE:

5-5-16

Please mail to the City Manager's Office, PO Box 928, Emporia, KS 66801-0928



APPLICATION FOR ADVISORY BOARD MEMBERSHIP

NAME:

Kevin Ogle

ADDRESS:

2037 W 15th

PHONE:

620-757-0888

PLACE OF EMPLOYMENT:

Self Ogle Construction LLC

HOW LONG HAVE YOU BEEN A RESIDENT OF EMPORIA?

41

ADVISORY BOARD(S) YOU ARE INTERESTED IN:

1)

Housing Board

2)

3)

4)

BRIEFLY DESCRIBE WHY YOU WOULD LIKE TO PARTICIPATE ON THE ADVISORY BOARD(S) MENTIONED ABOVE:

Jennifer said I had to.

OTHER ACTIVITIES AND INTERESTS:

SIGNATURE:

Kevin Ogle

DATE:

05-05-2016

Please mail to the City Manager's Office, PO Box 928, Emporia, KS 66801-0928



APPLICATIONS FOR BOARDS & COMMISSIONS

 [Applicants](#)

 [Trash](#)

APPLICATION FOR ADVISORY BOARD MEMBERSHIP

DATE: 06/07/2016

NAME: Megan I O'Brien
First Name MI Last Name

ADDRESS: 722 Woodland St
Street
Emporia KS 66801
City State ZIP

Email: mobrien321@gmail.com

PHONE: 3162172666

PLACE OF EMPLOYMENT: ESU/self-employed

HOW LONG HAVE YOU BEEN A RESIDENT OF EMPORIA? 5 years

ADVISORY BOARD(S) YOU ARE INTERESTED IN:
COMMUNITY HOUSING BOARD

**BRIEFLY DESCRIBE WHY YOU WOULD LIKE TO PARTICIPATE ON THE
ADVISORY BOARD(S) MENTIONED ABOVE:**

I would like to participate on the Community Housing Board to help home-owners find a respectful balance with the expectations of community officials and regulations, as well as to contribute to the best policies possible for improved community housing.

OTHER ACTIVITIES AND INTERESTS:
gardening, fine arts/art therapy, community development

In Lieu of Signature, [Click Here](#)

AGENDA ITEM SUMMARY

MEETING DATE: July 20, 2016

ITEM NUMBER: 9

SUBJECT: Request to Approve Ordinance Changes to Animal Control Ordinances 6-1 and 6-21.

RECOMMENDATION: Mayor Sign Ordinances

BACKGROUND SUMMARY:

City staff is recommending changes to animal control ordinances 6-1 and 6-21 updating these sections to include a definition for Community Cat Caregiver, and exempting Community Cat Caregivers from being considered owners or harborers of feral cats.

ACTION RECORD

Action: _____

Motion: _____ Second: _____

Abstained: _____ Vote: _____
GEITZ _____ GIEFER _____ GILLIGAN _____ HARMON _____ MLYNAR _____

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF EMPORIA, KANSAS PERTAINING TO ANIMALS AND FOWL; AMENDING SECTION 6-1 DEFINITIONS.

BE IT ORDAINED by the Governing Body of the City of Emporia, Kansas;

Section 6-1 of the Code of the City of Emporia, Kansas, is hereby amended as follows:

“Sec. 6-1. Definitions:

For the purposes of this chapter, the following terms, phrases, words and derivations shall have the meanings given herein unless otherwise specifically defined:

Animal: Any vertebrate (to include, but not limited to, mammals, birds, reptiles, and amphibians) whether classified as wild or domesticated, other than humans.

Animal Control Officer: Public officer, police officer or appointed assistant to the animal control officer of the city who may perform the same duties and have the same powers as if they were an animal control officer.

Animal Nuisance: Is created when an animal:

- (1) Runs uncontrolled;
- (2) Molests or disturbs persons or vehicles by chasing, barking, growling, charging or biting;
- (3) Attacks other animals;
- (4) Damages property other than that of the owner or harborer;
- (5) Barks, whines, howls, brays, cries or makes other noise excessively so as to cause unreasonable annoyance, disturbance or discomfort to an individual who is a neighbor (a "neighbor" for this purpose is hereby defined as an individual residing in a residence structure which is within 500 feet of the property on which the animal is kept or harbored) and who does, in writing, state he will so testify if called upon to testify about such matter under oath;
- (6) Creates noxious or offensive odors;
- (7) Defecates upon any public place or upon premises not owned or controlled by the owner or harborer unless promptly removed by the animal owner or harborer;
- (8) Creates an insect breeding and/or attraction site due to an accumulation of excreta;
- (9) Is in heat and not properly confined;

(10) Threatens or causes a condition which endangers public health; or

(11) Impedes refuse collection by ripping any bag or tipping any container of such.

Animal Shelter: Any premises designated by the city for the purpose of impounding and caring for animals held under the authority of this chapter.

At Large: An animal running at will, acting on its own initiative and not secured by a leash or lead, unless the animal shall be within a vehicle being driven or parked or is within the property limits of its owner, keeper or harborer and not under the control of a responsible person and obedient to that person's voice command.

Community Cat Caregiver: A person who is registered with the Friends of the Emporia Animal Shelter to care for feral cats. A community cat caregiver will not be considered to be an owner or harborer as defined under this section.

Control Of An Animal: That the same is on a leash, is on or within a vehicle being driven or parked or is within the property limits of its owner, keeper or harborer and under the control of a responsible person and obedient to that person's voice command.

Dangerous Animal: Means and includes any wild mammal, reptile or fowl which is not naturally tame or gentle but is of a wild nature or disposition and which, because of its size, vicious nature or other characteristics, would constitute a danger to human life or property.

Domestic Animal (Farm): Horses, mules, donkeys, goats, sheep, swine, fowl, including ducks, geese, turkeys and chickens, cattle, buffalo and other animals commonly found on farms.

Domestic Animal (Nonfarm): An animal, usually tame, commonly kept in a home by a family or household, including, but not limited to, dogs, cats, hares and rabbits, rodents and reptiles, birds, and other animals which are commonly sold at pet stores.

Ear Tip: A straight line cutting of the tip of a feral cat's left ear to indicate that it has been sterilized and vaccinated against rabies.

Euthanasia: The humane destruction of an animal accomplished by the method which produces instantaneous unconsciousness and immediate death without visible evidence of pain or distress.

Exotic/Wild Animal: Any wild mammal, reptile or fowl which is not naturally tame or gentle but is of a wild nature or disposition or other animals not commonly sold in pet stores or found as pets in homes or as livestock on farms.

Feral Cat: A cat that is free roaming and has no apparent owner.

Harborer: Any person who provides food and shelter for any wild, exotic or domesticated (farm or nonfarm) animal for three (3) consecutive days or more.

Impound: To seize summarily, confine or restrain in custody.

Large Animal: Any dairy cows, beef cattle, horses, buffalo, sheep, goats and any other large domestic farm animal of similar size.

Own: Means and includes own, keep, harbor or have charge, custody or control of an animal.

Owner: Any person or persons, firm, association, partnership or corporation owning, keeping or harboring or having charge, custody or control of an animal. A parent or legal guardian shall be deemed to be owner of animals owned or maintained by children upon their premises.

Small Animal: Any animal except swine, dairy cows, beef cattle, goats, sheep or other large domestic farm animals of similar size.

Sterilized Cat: A cat that has been made infertile by surgical procedure, or one that has been certified by a licensed veterinarian as being naturally infertile.

Trap: Any mechanical device or snare which seeks to hold, capture or kill an animal.

Veterinary Hospital: Any establishment maintained and operated by a licensed veterinarian for the diagnosis and treatment of disease and injury of animals. (Ord. 97-38, § 1, 10-15-1997; Ord. 98-7, § 1, 3-4-1998; Ord. 15-33, 12-16-2015)”

PASSED AND APPROVED this 20th day of July, 2016.

Robert F. Gilligan, Mayor

ATTEST:

Kerry Sull, City Clerk

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF EMPORIA, KANSAS PERTAINING TO DOGS AND CATS; AMENDING SECTION 6-21 OWNER OR HARBORER DEFINED.

BE IT ORDAINED by the Governing Body of the City of Emporia, Kansas;

Section 6-21 of the Code of the City of Emporia, Kansas, is hereby amended as follows:

“Sec. 6-21. Owner Or Harborer Defined:

(a) Any person who shall keep a dog or cat or allow a dog or cat to remain or lodge or to be fed within his home, store, yard, enclosure or place of business or at any other premises which he controls or in which such person is lodged, shall be considered as owning or harboring such dog or cat.

(b) This section shall not apply to community cat caregivers.”

PASSED AND APPROVED this 20th day of July, 2016.

Robert F. Gilligan, Mayor

ATTEST:

Kerry Sull, City Clerk

AGENDA ITEM SUMMARY

MEETING DATE: July 20, 2016

ITEM NUMBER: 10

SUBJECT: Request for Ordinance to Update Municipal Court Fees.

RECOMMENDATION: Mayor Sign Ordinance

BACKGROUND SUMMARY

Pursuant to HB 2696, municipal courts are now required to send an additional \$2.50 to the state for all cases in city court involving diversions, bond forfeitures, or findings of guilt, other than nonmoving traffic violations. The required fee is increasing from \$20 to \$22.50. Municipal court staff is requesting an increase in court costs from \$70 to \$73.

ACTION RECORD

Action: _____

Motion: _____ Second: _____

Abstained: _____ Vote: _____

GEITZ _____ GIEFER _____ GILLIGAN _____ HARMON _____ MLYNAR _____

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF EMPORIA, KANSAS PERTAINING TO COSTS IN MUNICIPAL COURT; AMENDING SECTION 2-1 COSTS IN MUNICIPAL COURT.

BE IT ORDAINED by the Governing Body of the City of Emporia, Kansas;

Section 2-1 of the Code of the City of Emporia, Kansas, is hereby amended as follows:

“Sec. 2-1. Costs In Municipal Court:

(a)The municipal judge is hereby authorized to assess court costs against either the defendant or a complainant in all matters brought before the court; provided, that no court costs shall be assessed against a defendant who prevails and is found "not guilty" after trial before the court.

(b)Court costs for the administration of justice in municipal court are hereby determined to be in the amount of seventy three dollars (\$73.00) for all offenses. Court costs include applicable state fees.

PASSED AND APPROVED this 20th day of July, 2016.

Robert F. Gilligan, Mayor

ATTEST:

Kerry Sull, City Clerk

AGENDA ITEM SUMMARY

MEETING DATE: July 20, 2016

ITEM NUMBER: 11

SUBJECT: Report from the City Manager on City Activities

RECOMMENDATION: This is a verbal report that announces upcoming events, recognizes employees for outstanding contributions and provides the public with information that may be of general interest.

BACKGROUND SUMMARY: This is an opportunity to present information to the public that may not be reported in other news accounts or City activities or to highlight accomplishments of the organization.

At the time this Agenda was prepared, the following items were in the works:

Tentative Agenda for June 27th Study Session

- Continued Budget Review If Necessary
- Review Solid Waste Management Plan
- Update of RFQ's Comprehensive Plan

Joint Luncheon w/Emporia Rec. Center

ACTION RECORD

Action: _____

Motion: _____ Second: _____

Abstained: _____ Vote: _____
GEITZ _____ GIEFER _____ GILLIGAN _____ HARMON _____ MLYNAR _____

AGENDA ITEM SUMMARY

MEETING DATE: July 20, 2016

ITEM NUMBER: 12

SUBJECT: City Commission Request Executive Session

RECOMMENDATION: Adjourn for Executive Session

BACKGROUND SUMMARY:

Executive Session to discuss proprietary information and consultation with the City Attorney.

ACTION RECORD

Action: _____

Motion: _____ Second: _____

Abstained: _____ Vote: _____

GEITZ _____ GIEFER _____ GILLIGAN _____ HARMON _____ MLYNAR _____